



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

June 30, 2008

Mr. Brad Shaver
U. S. Army Corps of Engineers
Regulatory Field Office
Post Office Box 1890
Wilmington, NC 28402

Mr. Stephen Lane
Division of Coastal Management
N.C. Dept. of Env. & Natural Resources
400 Commerce Avenue
Morehead City, NC 28557

Dear Sirs:

Subject: Request for Modification to Nationwide Permits 12, 23, and CAMA Major Development Permit, for the proposed replacement of Bridge No. 72 on NC 179 over Jinnys Branch in Brunswick County. Federal Aid Project No. BRSTP-0179 (2), State Project No. 8.1231701, TIP No. B-4031. Debit \$100.00 from WBS Element 33398.1.1

Reference: NW Permits 12, 23 issued on March 20, 2008. U.S. Action ID 2001 1171 CAMA Permit No. 80-08, issued on May 20, 2008.

As you are aware, NCDOT plans to replace Bridge No. 72 on NC 179 over Jinnys Branch in Brunswick County with a 179-foot longer bridge. No permanent impacts will result from this bridge replacement. As a result of project construction, a portion of the existing bridge causeway will be removed resulting in 0.298 acre of on-site coastal marsh restoration (see attached revised restoration plan). During the preparation of the permit application, a portion of the Onsite Wetland Restoration Plan was inadvertently omitted resulting in the absence of the terms "assets onsite".

It has always been the intention of the Department that onsite mitigation resulting from this project would be available for other projects. Since, the bridge replacement will have no permanent impacts to jurisdictional resources, the entire restoration site (0.298 acre) would be an asset, hence the preparation of the Onsite Wetland Restoration Plan. Therefore, NCDOT requests that the above referenced permits be modified to allow onsite mitigation resulting from this project to be available for other projects. NCDOT is aware that use of these assets for other projects would require the site showing success as detailed in the Onsite Wetland Restoration Plan, in addition to regulatory approval.

If the U.S. Army Corps of Engineers and N.C. Division of Coastal Management do not approve this request, then the Department respectfully requests that the section labeled "*Causeway Removal and Wetland Mitigation*" of CAMA Permit No. 80-08 containing a note and permit conditions 33-37 be eliminated. Additionally, we request that under the portion of the last

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
PROJECT DEVELOPMENT AND ENVIRONMENTAL ANALYSIS
1548 MAIL SERVICE CENTER
RALEIGH NC 27699-1548

TELEPHONE: 919-733-3141
FAX: 919-733-9794
WEBSITE: WWW.NCDOT.ORG

LOCATION:
TRANSPORTATION BUILDING
1 SOUTH WILMINGTON STREET
RALEIGH NC

sentence containing “*resulting in onsite restoration*” under the heading, “Description of the projects area and activity:” in NW Permits 12, 23 U.S. Action ID 2001 1171 be deleted. In this case, the causeway will be removed as shown on the previously submitted permit drawings and roadway plans. However the area would not be replanted or monitored as described in the Onsite Wetland Restoration Plan which would allow these resources to be transferred to other projects requiring mitigation.

Regulatory Approvals

CAMA: NCDOT requests that CAMA Permit No. 80-08 be modified as described above. The authority to debit \$100.00 from WBS Element 33398.1.1 for the minor modification processing fee is hereby granted.

Section 404 Permit:. NCDOT requests that NW 12, 23 (U.S. Action ID 2001 1171) be modified as described above.

Section 401 Permit: General Certification numbers 3701 is applicable for these activities. All general conditions of the Water Quality Certification will be met. Therefore, NCDOT is not requesting written concurrence. NCDOT is providing two copies of this application to the NCDWQ, for their review.

A copy of this modification request will be posted on the NCDOT website at: <http://www.doh.dot.state.nc.us/preconstruct/pe/neu/permit.html>

Thank you for your time and assistance with this project. Please contact Chris Rivenbark at crivenbark@ncdot.gov or (919) 715-1460 if you have any questions or need additional information.

Sincerely,



Gregory J. Thorpe, Ph.D.
Environmental Management Director, PDEA

w/attachment

Mr. Brian Wrenn, NCDWQ (2 Copies)
Mr. Steve Sollod, NCDWM

W/o attachment (see website for attachments)

Dr. David Chang, P.E., Hydraulics
Mr. Jay Bennett, P.E., Roadway Design
Mr. Majed Alghandour, P.E., Programming & TIP
Mr. Art McMillan, P.E., Highway Design
Mr. Scott McLendon, USACE, Wilmington
Mr. Travis Wilson, NCWRC
Mr. Gary Jordan, USFWS
Mr. Ron Sechler, NMFS
Ms. Anne Deaton, NCDMF

Mr. Elmo Vance, PDEA
Mr. Mark Staley, Roadside Environmental
Mr. Greg Perfetti, P.E., Structure Design
Mr. Victor Barbour, P.E., Project Services Unit
Mr. H. Allen Pope, P.E., Division 3
Mr. Mason Herndon, Division 3
Ms. LeiLani Paugh, NEU
Mr. Randy Griffin, NEU

**Revised Onsite Wetland Restoration Plan
At Bridge No. 072 over Jinnys Branch
on NC 179
Brunswick County**

**TIP B-4031
Federal Aid Project No. BRSTP-0179(2)
WBS No. 33398.1.1**

June 19, 2008

The North Carolina Department of Transportation (NCDOT) will perform on-site mitigation for coastal marsh wetland impacts at Bridge No. 72 over Jinnys Branch in Brunswick County. This mitigation site occurs within Transportation Improvement Program (TIP) B-4031. The project begins approximately 270 feet south of existing Bridge No. 72 and continues to approximately 530 to the north of the bridge and will lengthen the existing bridge by approximately 179 feet. As a result, NCDOT will restore approximately 0.298 acres of coastal salt marsh wetland as onsite mitigation for B-4031. The mitigation will be considered onsite assets and will be available as mitigation for future projects in the service area.

EXISTING CONDITIONS

The project is located in Brunswick County on NC 179 over Jinnys Branch between the towns of Shallotte and Ocean Isle Beach. The project study area land use is mainly salt marsh or adjacent upland natural communities. Land use of uplands also consists of residential areas and a golf course. Jinnys Branch is designated as a High Quality Water, primary nursery habitat, primary trust waters, tidal salt waters, coastal waters and coastal shoreline within the project area.

The Natural Systems Technical Report for TIP B-4031, dated January 2002, provides further details concerning existing roadway and project study area conditions.

The existing causeway for the northern approach to Bridge No. 72 is located in the intertidal area of Jinnys Branch. This area exists on both sides of the causeway and is comprised of a tidal marsh wetland community. This community is dominated by herbaceous species consisting of smooth cordgrass (*Spartina alterniflora*), saltmeadow grass (*Spartina patens*), sea lavender (*Limonium carolinianum*) and blackneedle rush (*Juncus roemerianus*). Marsh elder (*Iva frutescens*) and wax myrtle (*Myrica cerifera*) dominate the edge of the salt marsh, specifically in the transition zone where the coastal marsh wetland grades into the existing causeway slope. A narrow band of this wetland also exists along the southern bank of Jinnys Branch and is adjacent to the southern approach to the bridge.

PROPOSED CONDITIONS DESIGN

The proposed wetland mitigation will consist of restoring 0.298 acres of coastal salt marsh wetland. Restoration will involve removing causeway fill mainly along the northern approach with a small area along the southern approach to Bridge No. 72. The restoration area will be graded to a range of 1.3 – 1.9 feet MSL based on the elevations of the adjacent existing marsh. The lower range of elevations, 1.3 feet, will be found nearest the creek and graded with a slight increase in elevation to 1.9 feet towards the end of the bridge. Excavated areas will be ripped and disked prior to planting of the site if necessary. Only the areas adjacent to the proposed bridge will be planted with appropriate species. The areas directly under the bridge will not be planted due to the sunlight restrictions caused by low bridge heights. By removing the causeway, the surface hydrologic functions and connectivity of these areas will be restored.

The Natural Environment Engineering Group shall be contacted to provide construction oversight to ensure that the wetland mitigation area is constructed appropriately.

VEGETATION PLANTING

The restoration site will be planted following the successful completion of the site grading. The site will be planted with smooth cordgrass (*Spartina alterniflora*), saltmeadow grass (*Spartina patens*) and blackneedle rush (*Juncus roemerianus*) on 3 foot centers. Areas under the bridge will not be planted, however this area may naturally revegetate.

MONITORING:

Upon successful completion of construction, the following monitoring strategy is proposed for the mitigation site. NCDOT will document monitoring activities on the site in an annual report distributed to the regulatory agencies.

HYDROLOGIC MONITORING

No specific hydrological monitoring is proposed for this restoration site. The target elevation will be based on the adjacent wetland and verified during construction. Constructing the site at the adjacent wetland elevation will ensure the hydrology in the restored area is similar to the hydrology in the reference area.

VEGETATION SUCCESS CRITERIA

NCDOT shall monitor the restoration site by visual observation and photo points for survival and aerial cover of vegetation. NCDOT shall monitor the site for a minimum of three years or until the site is deemed successful. Monitoring will be initiated upon completion of the site planting.